

FEDERAL COMMUNICATIONS COMMISSION
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April 13, 2009

James R. Bayes, Esq.
Wiley Rein LLP
1776 K Street NW
Washington, DC 20006

Re: KGNC(AM), Amarillo, Texas
Facility Identification Number : 63159
MCC Radio, LLC
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed April 8, 2009, on behalf of MCC Radio, LLC ("MCC"). MCC requests special temporary authority ("STA") to operate Station KGNC¹ with operating parameters derived from a Method of Moments ("MOM") proof of performance, pending the completion of measurements necessary for filing with the MOM proof. In support of the request, MCC states that completion of a traditional partial proof is complicated by nearby construction, and that it has elected to file a new MOM proof.

Our review indicates that, due to the derivation of new operating parameters via MOM analysis, neither the currently licensed antenna monitor readings nor the licensed monitor point field strength limits will necessarily be applicable to the proposed STA operation. STA will be granted as requested.

Accordingly, the request for STA IS HEREBY GRANTED. Station KGNC may operate with its substantially adjusted daytime and nighttime directional antenna systems pending the filing and processing of an application for modification of license supported by a MOM proof of performance pursuant to 47 C.F.R. Section 73.151(c). Operating parameters shall be maintained as specified in the request². It will be necessary to reduce power or cease operation if complaints of interference are received. MCC must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

¹ KGNC is licensed for operation on 710 kHz with 10 kilowatts, unlimited hours, employing different directional antenna patterns during daytime and nighttime hours (DA-2-U).

² Operating parameters shall be maintained within $\pm 5\%$ current ratios and $\pm 3^\circ$ phase of the following:

Tower #	Daytime Ratio	Daytime Phase	Nighttime Ratio	Nighttime Phase
1	0.178	-171.4°	0.266	128.3°
2	0.699	-87.2°	0.744	-117.7°
3	1.000	0.0°	1.000	0.0°
4	N/A	N/A	0.747	118.3°
5	N/A	N/A	0.261	-123.9°

This authority expires on **October 13, 2009**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: MCC Radio, LLC
Thomas S. Gorton, P.E.